

## STATUS OF THE CLAIMS

Please cancel claims 17, 22-23 and 25-35.

12. (Pending). Hybrid marigold seed designated 50011, wherein a sample of said seed has been deposited under ATCC Accession No. PTA-2100.

13. (Pending). A marigold plant or parts thereof, produced by growing the seed of claim 12.

14. (Pending). Pollen of the plant of claim 13.

15. (Pending). An ovule or ovules of the plant of claim 13.

16. (Pending). A cutting of the plant of claim 13.

17 (Canceled).

18. (Amended). A marigold plant, or its parts, having all the physiological and morphological characteristics of marigold plant 50011, wherein a sample of said seed has been deposited under ATCC Accession No. PTA-2100.

19. (Pending). A tissue culture of regenerable cells of a marigold plant of claim 13 wherein the tissue culture regenerates a plant capable of expressing all the physiological and morphological characteristics of marigold plant 50011 and further wherein a sample of said seed has been deposited under ATCC Accession No. PTA-2100.

20. (Pending). A marigold plant, or its parts, regenerated from the tissue culture of claim 19 and capable of expressing all the morphological and physiological characteristics of hybrid marigold plant 50011, a sample of said seed having been deposited under ATCC Accession No. PTA-2100.

21. (Pending). A method for developing a marigold plant in a marigold breeding program using plant breeding techniques which include employing a marigold plant, or its parts, as a source of plant breeding material comprising, using the marigold plant, or its parts, of claim 13 as a source of said breeding materials.

22-23 (Canceled).

24. (Pending). A method for producing marigold seed, the method comprising the step of crossing the plant of claim 13 with another, different marigold plant.

25-35 (Canceled).